IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

EXECUTION APPLICATION NO. 364 OF 2005
IN
SUMMONS FOR JUDGMENT NO. 690 OF 2001
IN
SUMMARY SUIT NO. 5189 OF 2000

Emirates Bank International. ... Plaintiffs.
V/s.
Kekin Shantilal Gala & Anr. ... Defendants.

Mr. B.M. Ruikar for the Plaintiffs.
Mrs. S. Deshpande i/b. FZB Asso. for the Defendants.

.....

CORAM : S.C. DHARMADHIKARI,J.

22ND JANUARY 2009.

P.C. :

. This is an application for execution of a decree which has been passed in the above Summary Suit.

2. It is stated that the Execution Application is to execute the money decree dated 28th January 2003. The Warrant of Attachments have been issued. Before attachment could be levied, the Judgment Debotrs/Defendants have approached the Plaintiff - Bank and have made some proposals for settlement.

3. That was considered by the Plaintiff/Decree Holder and now it is agreed by both sides that on the Judgment Debtors paying a sum of Rs.23,00,000/-, the decree passed by this Court shall be marked satisfied. The amount will be accepted in full and final settlement of all claims of

the Plaintiff. However, both sides negotiated in so far as the manner in which the amount has to be paid and consent terms recording the manner in which the decree would be marked satisfied by payment of the above sum are tendered today.

4. The representative of the Plaintiff - Bank is present in Court. The terms are signed by the Chief Representative of the Plaintiff as also signed by Judgment Debtor Nos. 1 and 2. The respective Advocates have also signed the terms.

5. Both sides state that the term records full arrangement arrived at for the decree being marked satisfied. The arrangement is arrived at willingly. The Decree Holder and Judgment Debtors are aware of the consequences and implications flowing from the terms.

6. In these circumstances, at the request of both sides, the consent terms are taken on record and marked 'X' for identification.

7. Order in terms of the Consent Terms. Undertaking in clause 5 is accepted.

8. The order is passed in the presence of the parties/representatives.

(S.C. DHARMADHIKARI,J.)